

REMARKS

Claims 45-135 are pending in the above-captioned patent application after this amendment. Claims 1-4, 7, 8, 13-17, 22-28, 33-37, 39 and 42-44 have been rejected. Claims 5, 6, 9-12, 18-21, 29-32, 38, 40 and 41 have been objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The Applicant respectfully disagrees with the rejection of claims 1-4, 7, 8, 13-17, 22-28, 33-37, 39 and 42-44. However, the Applicant has cancelled claims 1-44 without prejudice, and added new claims 45-135 for the purpose of expediting the patent application process in a manner consistent with the goals of the Patent Office pursuant to 65 Fed. Reg. 54603 (September 8, 2000), and/or to clarify what the Applicant regards as the present invention.

Support for new claims 45-135 can be found throughout the originally filed specification. In particular, support for new claims 45-135 can be found in the specification at page 10, line 28 through page 11, line 6, at page 11, lines 23-29, in Figures 1 and 2, and in originally filed claims 1-44.

New claim 45 is based on original claim 5 rewritten in independent form. Therefore, new claim 45 is not narrower in scope than originally filed claim 5. Original claim 5 was found to contain patentable subject matter. Accordingly, new claim 45 is considered to be in condition for allowance.

New claim 50 is based on original claim 9 rewritten in independent form. Therefore, new claim 50 is not narrower in scope than originally filed claim 9. Original claim 9 was found to contain patentable subject matter. Accordingly, new claim 50 is considered to be in condition for allowance.

New claim 56 is based on original claim 12 rewritten in independent form. Therefore, new claim 56 is not narrower in scope than originally filed claim 12. Original claim 12 was found to contain patentable subject matter. Accordingly, new claim 56 is considered to be in condition for allowance.

New claim 60 is based on original claim 18 rewritten in independent form. Therefore, new claim 60 is not narrower in scope than originally filed claim 18. Original

claim 18 was found to contain patentable subject matter. Accordingly, new claim 60 is considered to be in condition for allowance.

New claim 66 is based on original claim 21 rewritten in independent form. Therefore, new claim 66 is not narrower in scope than originally filed claim 21. Original claim 21 was found to contain patentable subject matter. Accordingly, new claim 66 is considered to be in condition for allowance.

New claim 71 is based on original claim 29 rewritten in independent form. Therefore, new claim 71 is not narrower in scope than originally filed claim 29. Original claim 29 was found to contain patentable subject matter. Accordingly, new claim 71 is considered to be in condition for allowance.

New claim 78 is based on original claim 31 rewritten in independent form. Therefore, new claim 78 is not narrower in scope than originally filed claim 31. Original claim 31 was found to contain patentable subject matter. Accordingly, new claim 78 is considered to be in condition for allowance.

New claim 83 is based on original claim 38 rewritten in independent form. Therefore, new claim 83 is not narrower in scope than originally filed claim 38. Original claim 38 was found to contain patentable subject matter. Accordingly, new claim 83 is considered to be in condition for allowance.

New claim 88 is based on original claim 40 rewritten in independent form. Therefore, new claim 88 is not narrower in scope than originally filed claim 40. Original claim 40 was found to contain patentable subject matter. Accordingly, new claim 88 is considered to be in condition for allowance.

No new matter is believed to have been added by this amendment.

Reconsideration of the pending application is respectfully requested in view of the above-recited amendments and the arguments set forth below.

Allowable Subject Matter

The Patent Office provided that claims 5, 6, 9-12, 18-21, 29-32, 38, 40 and 41 contain allowable subject matter and would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As stated above, new claim 45 is based on original claim 5 rewritten in independent form. Original claim 5 was found to contain patentable subject matter. Accordingly, new claim 45 is considered to be patentable. Because new claims 46-49 depend directly upon new claim 45, they are also considered to be patentable.

Additionally, as stated above, new claim 50 is based on original claim 9 rewritten in independent form. Original claim 9 was found to contain patentable subject matter. Accordingly, new claim 50 is considered to be patentable. Because new claims 51-55 depend either directly or indirectly upon new claim 50, they are also considered to be patentable.

Further, as stated above, new claim 56 is based on original claim 12 rewritten in independent form. Original claim 12 was found to contain patentable subject matter. Accordingly, new claim 56 is considered to be patentable. Because new claims 57-59 depend directly upon new claim 56, they are also considered to be patentable.

Still further, as stated above, new claim 60 is based on original claim 18 rewritten in independent form. Original claim 18 was found to contain patentable subject matter. Accordingly, new claim 60 is considered to be patentable. Because new claims 61-65 depend directly upon new claim 60, they are also considered to be patentable.

Additionally, as stated above, new claim 66 is based on original claim 21 rewritten in independent form. Original claim 21 was found to contain patentable subject matter. Accordingly, new claim 66 is considered to be patentable. Because new claims 67-70 depend directly upon new claim 66, they are also considered to be patentable.

Further, as stated above, new claim 71 is based on original claim 29 rewritten in independent form. Original claim 29 was found to contain patentable subject matter. Accordingly, new claim 71 is considered to be patentable. Because new claims 72-77 depend either directly or indirectly upon new claim 71, they are also considered to be patentable.

Still further, as stated above, new claim 78 is based on original claim 31 rewritten in independent form. Original claim 31 was found to contain patentable subject matter. Accordingly, new claim 78 is considered to be patentable. Because new claims 79-82 depend either directly or indirectly upon new claim 78, they are also considered to be patentable.

Still yet further, as stated above, new claim 83 is based on original claim 38 rewritten in independent form. Original claim 38 was found to contain patentable subject matter. Accordingly, new claim 83 is considered to be patentable. Because new claims 84-87 depend either directly or indirectly upon new claim 83, they are also considered to be patentable.

Additionally, as stated above, new claim 88 is based on original claim 40 rewritten in independent form. Original claim 40 was found to contain patentable subject matter. Accordingly, new claim 88 is considered to be patentable. Because new claims 89-93 depend either directly or indirectly upon new claim 88, they are also considered to be patentable.

Moreover, it should be noted that new dependant claims 46, 51, 52, 61, 62, 72, 79, and 89 are based on original claims 6, 10, 11, 19, 20, 30, 32, and 41 respectively.

Rejections Under 35 U.S.C. § 102(e)

Claims 1-4, 7, 8, 13-17, 22-28, 33-37, 39 and 42-44 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,328,473 issued to Tokushima et al. ("Tokushima et al."). The Applicant has cancelled claims 1-4, 7, 8, 13-17, 22-28, 33-37, 39 and 42-44 without prejudice by this amendment. Accordingly, the rejection of claims 1-4, 7, 8, 13-17, 22-28, 33-37, 39 and 42-44 under 35 U.S.C. §102(e) is moot.

Remaining New Claims

New claims 94-135 have also been added by this amendment. These new claims are of a slightly different scope than the previously pending claims. However, these claims are considered to be patentable in view of the cited reference.

The Patent Office provides that Tokushima et al. discloses an exposure apparatus (Figure 9) comprising: a stage (75) that retains the device (W); and a chamber assembly that encircles the device and provides a device chamber around the device, the chamber assembly including a fixed section ("high vacuum chamber"), a moving section ("drive shaft") that moves relative to the fixed section, and a seal assembly that seals an intersection between the fixed section and the moving section during movement of the moving section. The Patent Office further provides that Tokushima et al. discloses a stage

mover assembly that moves the stage being positioned outside the device chamber. Additionally, the Patent Office provides that Tokushima et al. discloses the moving section of the chamber assembly moving concurrently with the stage.

The Applicant provides that Tokushima et al. is directed to a wafer W that is held on a chuck 74 that is mounted on a stage 75. The stage 75 is pushed by a drive shaft that protrudes from the drive unit 77. Further, the stage 75 is sealed in a vacuum chamber, and the drive shaft is disposed through the boundary of the chamber between the vacuum side and outside the vacuum side. (Tokushima et al. column 9, line 43 through column 10, line 22).

Importantly, Tokushima et al. does not disclose a chamber assembly having a moving section that includes a wall that defines at least a portion of the device chamber. Further, Tokushima et al. does not disclose the chamber assembly including a table seal for sealing the device table to the moving section.

In contrast to Tokushima et al., new claim 94 of the present application requires "(a)n exposure apparatus ... comprising: a stage that retains the device; and a chamber assembly that encircles the device and provides a device chamber around the device, the chamber assembly including a fixed section and a moving section that moves relative to the fixed section, the moving section including at least one wall that defines at least a portion of the device chamber."

These features are not taught or disclosed by the cited reference. Accordingly, new claim 94 is believed to be patentable. Because new claims 95-109 depend either directly or indirectly from new claim 94, they are also considered to be patentable.

Further, in contrast to Tokushima et al., new claim 110 of the present application requires "(a)n exposure apparatus ... comprising: a stage that retains the device, the stage including a device table; and a chamber assembly that encircles the device and provides a device chamber around the device, the chamber assembly including a moving section and a table seal that seals the moving section to the device table. "

These features are not taught or disclosed by the cited reference. Accordingly, new claim 110 is believed to be patentable. Because new claims 111-123 depend either directly or indirectly from new claim 110, they are also considered to be patentable.

Still further, in contrast to Tokushima et al., new claim 124 of the present application

requires "(a) method for making a chamber assembly ... comprising the steps of: providing a fixed section; and providing a moving section that moves relative to the fixed section, the moving section including at least one wall that defines at least a portion of a device chamber around the device. "

These features are not taught or disclosed by the cited reference. Accordingly, new claim 124 is believed to be patentable. Because new claims 125-135 depend either directly or indirectly from new claim 124, they are also considered to be patentable.

Version with markings to show changes made:

In the Claims:

Claims 1-44 have been cancelled without prejudice and claims 45-135 have been added by this amendment.